

SUMMARY ACTION MINUTES

REGULAR MEETING OF THE BOARD OF SUPERVISORS ORANGE COUNTY, CALIFORNIA



Tuesday, August 24, 1999, 9:30 A.M.

BOARD HEARING ROOM, FIRST FLOOR
10 Civic Center Plaza
Santa Ana, California

CHARLES V. SMITH
Chairman
First District

THOMAS W. WILSON
Vice Chairman
Fifth District

JAMES W. SILVA
Second District

TODD SPITZER
Third District

CYNTHIA P. COAD
Fourth District

ATTENDANCE: All members were present

EXCUSED: None

PRESENT: COUNTY EXECUTIVE OFFICER
COUNTY COUNSEL
CLERK OF THE BOARD

Michael Ruane, Assistant
Laurence M. Watson
Susan Novak, Assistant

INVOCATION: Supervisor Wilson, Fifth District, gave the invocation

PLEDGE OF ALLEGIANCE: Supervisor Coad, Fourth District, led the assembly in the Pledge of Allegiance to the Flag

I. PRESENTATIONS/INTRODUCTIONS

Chairman Smith presented a resolution to District Attorney Tony Rackauckas, Campaign Chairman, recognizing The United Way of Orange County 1999 Charitable Campaign for Orange County Employees, 9/27/99 – 10/29/99

II. CONSENT CALENDAR (Items 1-33)

53241 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 5 WHICH WAS DELETED AND ITEMS 2, 17 AND 31 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE**

SUMMARY ACTION MINUTES

BOARD APPOINTMENTS

1. **Supervisor Silva** - Public Services Access Advisory - Appoint Douglas O'Kieffe, Costa Mesa, for a term ending 6/30/01
FILE 21093BCC

Supervisor Spitzer:

2. Orange County Historical Commission - Appoint Pamela Marie Harrell, Yorba Linda, for an indefinite term
FILE 1095BCC
35241 **APPROVED AS RECOMMENDED**
3. Orange County Water Task Force - Appoint Robert L. Seat, Santa Ana, for an indefinite term
FILE 1169BCC

DEPARTMENT APPOINTMENTS

Health Care Agency:

4. HIV Planning Council - Appoint Martin Becerra, Garden Grove; Joseph Michael Lopez, Garden Grove; Frank D. Romero, Huntington Beach, for terms ending 12/31/00 and Veronica Ramirez-Walker, Orange; Julio Rodriguez, Santa Ana, for terms ending 12/31/99
FILE 1172BCC
5. Food Sanitation Advisory Council - Appoint Adam T. Johnson, Yorba Linda; Gary L. Parkinson, Fullerton, for an indefinite term
FILE 1089BCC
53241 **DELETED FROM AGENDA**
6. Alcohol and Drug Advisory Board - Appoint Howard Friend, Mission Viejo, for a term ending 10/18/01; Ellen Ahn, Fullerton, for a term ending 11/12/00 and Linda Haro-MacDonell, Huntington Beach, for a term ending 6/3/00
FILE 1055BCC

COMMENDATIONS/PROCLAMATIONS

7. **Chairman Smith** - Adopt resolution recognizing the Chinese-Americans' observance of the 50th Anniversary of the Peoples' Republic of China and commending Chinese-Americans for their significant contributions to our community
FILE 20860
R99-342

HEALTH CARE AGENCY

8. Adopt resolution approving agreement 99-85304 with State Department of Health Services for preventive health care for the aging program, 7/1/99 - 6/30/00 (\$87,000) - All Districts
FILE 21696
R99-345
9. Approve agreement with City of Laguna Woods for environmental health services, 7/1/99 - 6/30/01 - District 5
FILE 21697

SUMMARY ACTION MINUTES

10. Approve amended master agreement with participating hospitals for California Healthcare for Indigents Program for medical and administrative services provided, 7/1/98 - 6/30/99 - All Districts
FILE 20419

INTEGRATED WASTE MANAGEMENT DEPARTMENT

11. Approve letter agreement for participation in Municipal Water District of Orange County Landscape Performance Certification Program to assist with Landscape Management Outreach Partnership with California Integrated Waste Management Board and make California Environmental Quality Act findings - All Districts
FILE 21698
12. Approve standardized Right of Entry agreement for use with property owners for investigative monitoring activities for Closed Landfill Environmental Assessment and Response Project and authorize Director to execute agreements - All Districts
FILE 21699

JOHN WAYNE AIRPORT

13. Receive bids and award operating agreement to Downey Savings and Loan Association, F.A. for automated teller machine service and make California Environmental Quality Act and other findings - District 5
FILE 21293

ORANGE COUNTY PUBLIC LIBRARY

14. Receive and file developer fee deposit reports and make appropriate findings - All Districts
FILE 21700

PLANNING AND DEVELOPMENT SERVICES

15. Approve Tract 15509, Irvine Community Development Company, Newport Coast area; accept easement for scenic preservation purposes; approve construction agreement S799-2648 and accept bonds guaranteeing construction of improvements - District 5
FILE 21701
16. Approve Tract 15632, William Lyon Homes, Inc., Ladera Ranch area; accept dedication for street purposes; approve construction agreement S799-2646 and accept bonds guaranteeing construction of improvements - District 5
FILE 21702

PUBLIC FACILITIES AND RESOURCES DEPARTMENT

17. Approve agreement D99-046 with California State University Fullerton Foundation for development and implementation of model curation program - All Districts
FILE 20099
- 53241 **APPROVED AS RECOMMENDED**
18. Accept work and approve notice of completion, Signal Maintenance, Inc. for construction of traffic signal and highway lighting system, Las Flores; project completed 4/15/99 (\$120,695) - District 5
FILE 20246
19. Adopt resolution approving agreement 99-0145 with State Department of Food and Agriculture to perform mandated enforcement of egg regulations, 7/1/99 - 6/30/00 (\$10,294.46) - All Districts
FILE 21703
R99-346

SUMMARY ACTION MINUTES

20. Adopt resolution approving agreement 99-0040 with State Department of Food and Agriculture to perform mandated enforcement of organic food regulations, 7/1/99 - 6/30/02 (\$2,057.17) - All Districts
FILE 21704
R99-347
21. Approve quitclaim deed to Robert D. and Myrtle Souza for sale of surplus parcel at Santa Ana Avenue and University Drive, Costa Mesa; and make California Environmental Quality Act and other findings - District 5
FILE 21705
22. **Acting as the Orange County Flood Control District** - Approve plans and specifications and set bid opening for 9/22/99, 2:00 p.m., for repair of 330 feet of Laguna Canyon Channel, Laguna Beach; and make California Environmental Quality Act findings - District 5
FILE 21706
23. Approve agreement 8-174-250-0 with State Water Resources Control Board for funding of water quality studies in Newport Bay watershed; and authorize Director or designee to execute subsequent amendments - Districts 3 & 5
FILE 21707
24. Approve acceptance of scenic preservation easement from Talega Associates, LLC covering Talega Golf Course area of tentative Tract Map 13873; and make California Environmental Quality Act findings - District 5
FILE 21708
25. Approve amendment 4 to agreement D96-030 with LSA for botanical maintenance services related to construction of Newport Coast Drive extension project (\$16,200; new total \$153,520) - District 5
FILE 16731

PUBLIC PROTECTION

26. **Probation** - Approve agreement with Cities of Lake Forest and Mission Viejo for gang prevention and suppression services, 7/1/99 - 6/30/00 - District 3
FILE 21709
27. **Sheriff-Coroner** - Approve price agreement N1000002058 with Santa Ana College for registration and tuition fees for criminal justice academy classes, 9/1/99 - 8/31/02 (\$35,000 per year); renewable for two additional years - All Districts
FILE 21710

GENERAL ADMINISTRATION

28. **Assessor Department** - Approve price agreement N1000002069 with Intergraph Corporation for automated mapping system, 9/1/99 - 6/21/00 (\$22,655); renewable for two additional years (\$24,700 per year) - All Districts
FILE 21711

Auditor-Controller:

29. Receive and file report of refunds of monies erroneously paid to the County, other than taxes, FY 1998-99 - All Districts
FILE 21712
30. Adopt resolution approving property tax rates and delinquency/roll correction/refund allowances for FY 1999/00 - All Districts
FILE 21713
R99- 348

SUMMARY ACTION MINUTES

31. Authorize relief of accountability to former Interim Director and reimbursement to Health Care Agency for cash loss of \$588.73 - All Districts FILE 21714
34251 **APPROVED AS RECOMMENDED**
32. Authorize relief of accountability to Director and reimbursement to Social Services Agency for cash loss of \$2,741.80 - All Districts FILE 21715
33. **County Counsel** - Approve settlement of State Board of Equalization - Cellular Phone Co. Property Assessments; authorize County Counsel to execute agreement and release and other documents necessary to implement settlement - All Districts FILE 21716

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 34-55)

COMMUNITY SERVICES AGENCY

34. Adopt resolution approving Job Training Partnership Act agreement G065525 with State Employment Development Department for services for dislocated workers, FY 1999-00; and authorize Director to accept increases and decreases in funding made by State - All Districts FILE 21717
42351 **APPROVED AS RECOMMENDED** R99-349

HEALTH CARE AGENCY

35. Adopt resolution approving submission of funding application to State Department of Health Services for California Healthcare for Indigents Program, FY 1999-00 - All Districts FILE 21718
45231 **APPROVED AS RECOMMENDED** R99-350
36. Approve amended agreement 98-14604-01 with State Department of Health Services for women, infants and children supplemental nutrition program, 10/1/98 - 9/30/99 (\$115,908; new total \$4,970,363) - All Districts FILE 21070
43251 **APPROVED AS RECOMMENDED**
37. Approve agreement 9-014-550-0 with State Water Resources Control Board for local oversight program, 7/1/99 - 6/30/00 (\$909,256) - All Districts FILE 21719
24351 **APPROVED AS RECOMMENDED**

JOHN WAYNE AIRPORT

38. Select a primary and alternate architectural-engineering firm from ranked list for stabilization of Bristol Street Slope; authorize negotiation of agreement for Board approval; and make California Environmental Quality Act findings - District 5 FILE 21720
52341 **CONTINUED TO 8/31/99, 6:00 P.M.**
39. Approve price agreement N1000002106 with Bradford Building Services for custodial maintenance services, 9/16/99 - 9/15/02 (\$1,056,519 per year); renewable for two additional years; and make California Environmental Quality Act and other findings - District 5 FILE 21721
52341 **APPROVED AS RECOMMENDED**

SUMMARY ACTION MINUTES

PLANNING AND DEVELOPMENT SERVICES

40. Adopt resolution approving Joint Powers agreement with City of San Clemente creating Talega Joint Planning Authority; adopting addendum to EIR 84-02 based on California Environmental Quality Act and other findings; and authorizing Director to appoint two staff to the Authority - District 5
53241 **APPROVED AS RECOMMENDED** FILE 21722
R99-351
41. Adopt resolution approving Property Tax Transfer Agreement with City of San Clemente for Talega annexations - District 5
52341 **APPROVED AS RECOMMENDED** FILE 21723
R99-352
42. Consider first reading of "An Ordinance of the County of Orange Approving and Adopting Boundary Change and Establishing County Boundary Line Between Orange County and Los Angeles County", Midbury community; and set second reading and adoption for 8/31/99, 6:00 P.M. - District 3
35241 **APPROVED AS RECOMMENDED** FILE 21724

PUBLIC FACILITIES AND RESOURCES DEPARTMENT

43. Consider first reading of "An Ordinance of the County of Orange, California, Regarding the Management of County Harbors, Beaches and Parks Facilities, Open Spaces and Regional Riding and Hiking Trails"; and set second reading and adoption for 8/31/99, 6:00 P.M. - All Districts
35241 **APPROVED AS RECOMMENDED** FILE 21725

PUBLIC PROTECTION

44. **District Attorney** - Approve amended lease GA 1259-4 with Courthouse Associates, L.L.C. for additional space to accommodate Major Fraud and Administrative Services Units - All Districts
35241 **APPROVED AS RECOMMENDED** FILE 9693
45. **Sheriff-Coroner and Supervisor Wilson** - Consider first reading of "An Ordinance Amending the Codified Ordinances of the County of Orange to Add Regulations Regarding Use of Designated Privately Owned Parks"; and adopt resolution making submitted ordinance applicable in parks owned by Aliso Viejo Community Association; and set second reading and adoption of ordinance for 8/31/99, 6:00 p.m. - All Districts
54231 **APPROVED AS RECOMMENDED** FILE 21726

GENERAL ADMINISTRATION

County Executive Office:

46. Approve proposed response to the FY 1998-99 Grand Jury report "Foster Care Support Services" - All Districts
24351 **APPROVED AS RECOMMENDED** FILE 21727
47. Approve proposed response to the FY 1998-99 Grand Jury report "Child Care and Welfare-to-Work" - All Districts
42351 **APPROVED AS RECOMMENDED** FILE 21728

SUMMARY ACTION MINUTES

48. Approve proposed response to the FY 1998-99 Grand Jury report "Board of Supervisors Salary Methodology" - All Districts
FILE 21729
45231 **APPROVED AS RECOMMENDED**
49. **Acting as the Communities Facilities District 99-1 (Ladera Ranch)** - Approve in concept, bond financing of public improvements and approve due diligence plan - District 5
53241 **APPROVED AS RECOMMENDED** FILE 21173
50. Approve FY 1998-99 Year End Budget Report; and make closing adjustments - All Districts (4/5 vote)
FILE 19501
235 41 **MOTION TO MOVE \$2.5 MILLION OF ADDITIONAL FUND BALANCE**
NN **AVAILABLE TO DEBT DEFEASANCE FUND FAILED FOR LACK OF REQUIRED 4/5 VOTE**
- 514 23 **APPROVED RECOMMENDED ACTIONS 3 AND 4, ACTIONS 1 AND 2 FAILED**
NN **FOR LACK OF REQUIRED 4/5 VOTE**
- B.O. **RECOMMENDED ACTIONS 1 AND 2 TO BE CONTINUED TO 8/31/99, 6:00 P.M.**
51. Authorize County Departments' use of State Master Services Agreement with Maximus for federal revenue recovery services, renewable for up to two years - All Districts
32451 **APPROVED AS RECOMMENDED** FILE 21730
52. Approve appointment and terms and conditions of employment of Public Health Officer - All Districts (Continued from 8/17/99, Item 40)
FILE 21694
B.O. **CONTINUED TO 8/31/99, 6:00 P.M.**
53. Approve in concept, partial advance refunding of Orange County Financing Authority 1992 Tax Allocation Revenue Bonds, Series A (Neighborhood Development and Preservation Project) (\$13,210,000); ratify selection of financing team - All Districts
53241 **APPROVED AS RECOMMENDED** FILE 21731
54. **Treasurer-Tax Collector** - Adopt resolution authorizing the sale and issuance of Brea Olinda Unified School District General Obligation Bonds, Election of 1999, Series 1999A - District 3
34251 **APPROVED AS RECOMMENDED** FILE 21732
R99-353

EXTERNAL RESTRUCTURING PROGRAM FOR THE COUNTY OF ORANGE

55. At this time Members of the Board of Supervisors and/or the County Executive Office may report on and discuss activities related to the External Restructuring Program for the County of Orange - All Districts
REPORT FILED, NO ACTION TAKEN FILE 20480
- S55A. District Attorney - Authorize use of Family Support Excess Incentive Fund for relocation of Family Support Division; and approve related budget adjustments (\$10,900,000)– All Districts
53241 **APPROVED AS RECOMMENDED** FILE 21733

SUMMARY ACTION MINUTES

V. PUBLIC HEARINGS (Items 56-57)

PLANNING AND DEVELOPMENT SERVICES

56. Public Hearing to consider adopting "An Ordinance of the County of Orange, California, Approving Development Agreement 98-1 for the Rolling Hills Planned Community"; and adopting resolution approving Final EIR 482 as addended and approve development agreement with Talega Associates, LLC and related findings - District 5
B.O. **CLOSED PUBLIC HEARING**
53241 **APPROVED AS RECOMMENDED**
- FILE 21734
O99-19
R99-354

GENERAL ADMINISTRATION

57. **County Executive Office** - Public Hearing to consider adopting resolution approving 1999 Certificates of Participation to be issued by the California Statewide Communities Development Authority on behalf of Florence Crittenton Services of Orange County, Inc. (\$12,000,000) - District 3
B.O. **CLOSED PUBLIC HEARING**
35241 **APPROVED AS RECOMMENDED**
- FILE 21170
R99-355

V. CLOSED SESSION

- SCS-1. County Counsel – CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION: County Counsel requests a closed session under Government Code Section 54956.9(a), to discuss pending litigation to which the County is a party. Name of case: El Toro Reuse Planning Authority, et al. v. Board of Supervisors, et al., Orange County Superior Court No. 800433 – All Districts
HELD, NO REPORTABLE ACTION
- FILE 20862

VI PUBLIC, BOARD COMMENTS AND EMAIL AND ADJOURNMENT:

PUBLIC COMMENTS:

R. Backwith – Oral RE: establishment of pre-trial County committee

BOARD COMMENTS: None

ADJOURNED: 11:33 A.M.

SUMMARY ACTION MINUTES

*** KEY ***

Left Margin Notes

- 1. v Chairman Smith
- 2. v Supervisor Silva
- 3. v Supervisor Spitzer
- 4. v Supervisor Coad
- 5. v Supervisor Wilson

- A. v Abstained
- X. v Excused
- N. v No
- BO v Board Order

Right Margin Notes

- O. v Ordinance
- R. v Resolution

Above numbers refer to Supervisorial Districts (1st number = Moved by; 2nd number = Seconded by)

CHARLES V. SMITH, CHAIRMAN
Orange County Board of Supervisors

Susan Novak, Assistant
Orange County Clerk of the Board